

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 ISO-00 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 AID-20 CEQ-02 COA-02 COME-00 EB-11

EPA-04 IO-14 NSF-04 SCI-06 FEA-02 OIC-04 CIEP-03

CEA-02 AGR-20 SWF-02 TRSE-00 AF-10 EA-11 EUR-25

NEA-14 DOTE-00 DRC-01 /256 W
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R 241700Z JUL 74

FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 4918
INFO AMEMBASSY BOGOTA
AMEMBASSY KINGSTON
AMEMBASSY MANAGUA

C O N F I D E N T I A L SECTION 1 OF 2 CARACAS 6949

FROM US DEL LOS

EO 11652: GDS

TAGS: PLOS: NU JM CO

SUBJECT: LOS: NICARAGUAN VIEWS ON FISHERIES AND OTHER LOS MATTERS

SUMMARY: NICARAGUA IS GREATLY PERTURBED THAT UNDER THE FULL UTILIZATION PRINCIPLE JAMAICAN FISHERMEN WILL HAVE ACCESS TO NICARAGUA'S ECONOMIC ZONE AND THAT THE GEOGRAPHIC PROXIMITY OF COLOMBIA'S SAN ANDRES AND PROVIDENCIA ISLANDS WILL REDUCE NICARAGUA'S ECONOMIC ZONE. NICARAGUA IS ANXIOUS TO COOPERATE WITH THE US IN HELPING US ACHIEVE OUR LOS OBJECTIVES AND IS PREPARED TO OPPOSE EFFORTS TO EXTEND THE JURISDICTION OF THE INTERNATIONAL SEABEDS AUTHORITY TO THE WATER COLUMN. END SUMMARY.

1. AT NICARAGUANS' REQUEST, AMBASSADOR STEVENSON
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(ACCOMPANIED BY DELOFF RANDOLPH) MET WITH AMBASSADOR

SEVILLA-SACASA AND PROFESSOR JOSE MARIA ZELAYA OF THE NICARAGUAN DELEGATION JULY 22 FOR OVER AN HOUR FOR A GENERAL EXCHANGE OF VIEWS WHICH CENTERED ON NICARAGUA'S CONCERN OVER HOW TO LIMIT EXPLOITATION OF NICARAGUA'S FISHERIES BY COUNTRIES OTHER THAN THE US. SEVILLA-SACASA STATED THAT NICARAGUA SUPPORTS THE US POSITIONS ON SCIENTIFIC RESEARCH, UNIMPEDED TRANSIT, THE TERRITORIAL SEA AND THE 200 MILE ECONOMIC RESOURCE ZONE AND STRONGLY PREFERS NICARAGUA'S FISHERIES RESOURCES TO BE EXPLOITED BY US AS WELL AS NICARAGUAN INTERESTS. HOWEVER, SEVILLA-SACASA EMPHATICALLY DECLARED THAT NICARAGUA DOES NOT WANT JAMAICANS, WHO ARE TRADITIONAL FISHERMEN IN NICARAGUAN WATERS, TO BE PERMITTED UNRESTRICTED ACCESS TO NICARAGUA'S FISHERIES. SEVILLA-SACASA EXPRESSED SKEPTICISM THAT A REGIONAL AUTHORITY WOULD BE OF MUCH HELP IN KEEPING UNWANTED FOREIGN FISHERMEN LIKE THE JAMAICANS OUT OF NICARAGUA'S WATERS. SEVILLA-SACASA WAS SURPRISINGLY VEHEMENT IN HIS CHARACTERIZATION OF JAMICA AS NO FRIEND OF NICARAGUA AND IN HIS DENUNCIATION OF JAMAICAN FISHERMEN, WHOM HE AT ONE POINT CALLED "PIRATES."

2. AMBASSADOR STEVENSON CAREFULLY REVIEWED THE US POSITION ON THE ECONOMIC ZONE IN GENERAL AND FISHERIES IN PARTICULAR, STRESSING OUR BELIEF IN THE NEED FOR THE MAXIMUM UTILIZATION OF FISHERY RESOURCES, WHICH IN OUR VIEW INVOLVES A COASTAL STATE DUTY TO PERMIT FOREIGN FISHING UNDER REASONABLE COASTAL STATE REGULATIONS. WHILE THE US WAS FIRMLY COMMITTED TO THIS PRINCIPLE, THE DETAILS ON HOW IT WOULD OPERATE REMAIN TO BE NEGOTIATED. FOR EXAMPLE, RATHER THAN GIVING STATES OF THE REGION AS JAMAICA URGED A RIGHT TO FISH IN OTHER REGIONAL STATES' ECONOMIC ZONES OR A FIRST PREFERENCE, PROVISION COULD BE MADE THAT REGIONAL STATES MIGHT BUT WOULD NOT BE REQUIRED TO GIVE SUCH A PREFERENCE. SECONDLY, THERE MIGHT BE A POSSIBILITY OF TREATING JOINT VENTURES BETWEEN NICARAGUAN NATIONALS AND FOREIGN NATIONALS, WHICH COULD INCLUDE US NATIONALS, AS ENTITLED TO NATIONAL TREATMENT WITHIN THE COASTAL STATE'S ECONOMIC ZONE. COASTAL STATE LICENSING AUTHORITY SHOULD ALSO MAKE IT POSSIBLE FOR NICARAGUA TO PREVENT FISHING BY FOREIGN FISHERMEN WHO

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DO NOT COMPLY WITH NICARAGUA'S ALLOCATION OR CONSERVATION MEASURES OR PAY LICENSE FEES. AMBASSADOR STEVENSON ALSO POINTED OUT THAT US PROPOSALS DID NOT CONTEMPLATE COASTAL FISHERIES MANAGEMENT BEING REQUIRED TO APPLY CONSERVATION AND OTHER MEASURES OF A REGIONAL AUTHORITY BUT ONLY TO TAKE THEM INTO ACCOUNT. THE NICARAGUANS SEEMED TO REACT FAVORABLY TO THIS EXPLANATION, ESPECIALLY TO THE POSSIBILITY OF JOINT VENTURES AS A WAY OF HELPING TO KEEP

JAMAICAN FISHERMEN OUT OF NICARAGUA'S ECONOMIC RESOURCE ZONE.

3. PROFESSOR ZELAYA RAISED NICARGAUA'S CONCERN THAT THE PROXIMITY TO NICARAGUA OF THE SAN ANDRES AND PROVIDENCIA ISLANDS, BELONGING TO COLOMBIA, WOULD SERIOUSLY REDUCE THE SITE OF NICARAGUA'S ECONOMIC RESOURCE ZONE. AMBASSADOR STEVENSON ACKNOWLEDGED THAT SUCH GEOGRAPHIC DELIMITATION DIFFICULTIES POSE A SERIOUS PROBLEM FOR THE CONFERENCE, BUT HE POINTED OUT THEY ARE NOT UNIQUE TO NICARAGUA AND THAT THEY SHOULD BE ADDRESSED VIA PEACEABLE, BILATERAL SETTLEMENTS AFTER A FINAL LOS TREATY IS ACHIEVED.

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C O N F I D E N T I A L SECTION 2 OF 2 CARACAS 6949

FROM US DEL LOS

4. AMBASSADOR STEVENSON SAID HE HAD DETECTED AN UNFORTUNATE TENDENCY ON THE PART OF A NUMBER OF DEVELOPING COUNTRIES TO MOVE TOWARD ENDOWING THE ECONOMIC ZONE CONCEPT WITH AN

INCREASING NUMBER OF CHARACTERISTICS OF A TERRITORIAL SEA. AMBASSADOR STEVENSON SAID WE NEED HELP IN TRYING TO COMBAT THIS TACTIC TO PREVENT GENERAL AGREEMENT AND PROGRESS AT THIS CONFERENCE. THE NICARAGUANS INDICATED THEY ARE WILLING TO HELP.

5. AMBASSASADOR STEVENSON ALSO EXPRESSED CONCERN OVER A TREND IN COMMITTEE I TO EXTEND THE JURISDICTION OF THE INTERNATIONAL AUTHORITY FROM THE SEABEDS ONLY TO THE WATER COLUMN. SEVILLA-SACASA EMPHATICALLY AGREED THAT THIS IS DANGEROUS AND MUST BE STRONGLY RESISTED. THE NICARAGUANS SAID THAT A PAPER WAS BEING DRAFTED BY

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TRINIDAD AND TOBAGO, PERU, COLOMBIA AND SOME OTHER COUNTRIES (WHICH THEY COULD NOT RECALL) WHICH, INTER ALIA, SOUGHT TO EXPEND THE INTERNATIONAL SEABED AUTHORITY'S JURISDICTION. THE NICARAGUANS SAID THEY WOULD COOPERATE IN BLOCKING THIS AND ASKED TO KEEP IN TOUCH WITH US ON THIS MATTER, AN OFFER WHICH THE US SIDE WELCOMED.

6. PROFESSOR ZELAYA LEFT WITH AMBASSADOR STEVENSON A COPY OF A NICARAGUAN PAPER ON TERRITORIAL JURISDICTIONS, WHICH HE SAID NICARAGUA WOULD CIRCULATE BUT NOT PRESS.

7. COMMENT: MEETING WAS FRANK, CORDIAL AND HELPFUL IN ALLAYING THE NICARAGUANS' CONCERNS ABOUT COASTAL STATE JURISDICTION OVER ITS FISHERY RESOURCES. STEVENSON

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